

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
VICTORIA DIVISION**

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STATE OF TEXAS, et al.,

Plaintiffs,

v.

Civil Action No. 6:23-cv-00007

U.S. DEPARTMENT OF HOMELAND  
SECURITY, et al.,

Defendants.

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**UNOPPOSED MOTION OF DRS. STAN VEUGER, TARA WATSON, DOUGLAS  
HOLTZ-EAKIN, & LEAH BOUSTAN FOR LEAVE TO FILE A MEMORANDUM OF  
LAW AS *AMICI CURIAE* IN OPPOSITION TO PLAINTIFFS' REQUEST FOR  
INJUNCTIVE & OTHER EQUITABLE RELIEF**

Pursuant to Federal Rule of Civil Procedure 7, Drs. Stan Veuger, Tara Watson, Douglas Holtz-Eakin, and Leah Boustan respectfully request this Court's leave to file the accompanying memorandum of law as *amici curiae*. (The memorandum is attached as Exhibit 1 to this motion.) Counsel for Drs. Veuger, Watson, Holtz-Eakin, and Boustan have conferred with counsel for the parties and intervenors, and all consent to the filing of the attached *amicus* memorandum of law. Therefore, the motion is unopposed and a proposed order is attached as Exhibit 3 to this motion.

Dr. Stan Veuger is a senior fellow in economic policy studies at the American Enterprise Institute and was a Campbell Visiting Fellow at the Hoover Institution in May 2022. He earned a Ph.D. and an A.M. degree in economics from Harvard University. He also holds degrees from Erasmus University Rotterdam, Universitat Pompeu Fabra, University of London, and Utrecht

University. Dr. Veuger's research on economics and immigration policy has been published in leading academic and professional journals, including the Journal of Monetary Economics, the Quarterly Journal of Economics, and the Review of Economics and Statistics.

Dr. Tara Watson is professor of economics at Williams College and the Director of the Brookings Institution's Center for Economic Security and Opportunity, where she is a David F. Rubenstein Fellow in Economic Studies. She is a research associate of the National Bureau of Economic Research and a co-editor of the Journal of Human Resources. In 2015-2016, Dr. Watson served as deputy assistant secretary for microeconomic analysis in the U.S. Treasury Department's Office of Economic Policy. Dr. Watson earned her Ph.D. in economics from Harvard University. Her research and publications focuses on economic analysis of the social safety net, health, and immigration policies.

Dr. Douglas Holtz-Eakin is the President of the American Action Forum. He previously served as a professor of economics at Princeton University, Columbia University, and Syracuse University. From 2001-2002, he was the Chief Economist of the President's Council of Economic Advisers, and from 2003-2005 he served as the director of the Congressional Budget Office. During 2007 and 2008, he was the Director of Domestic and Economic Policy for the John McCain presidential campaign, and he later served as a Commissioner on the Financial Crisis Inquiry Commission. Dr. Holtz-Eakin earned his Ph. D. in economics from Princeton. He has extensive expertise in economic and fiscal policy analysis, including on matters of U.S. immigration policy.

Dr. Leah Boustan is a Professor of Economics at Princeton University, where she also serves as the Director of Princeton's Industrial Relations Section. Dr. Boustan is co-director of the Development of the American Economy Program at the National Bureau of Economic

Research, and she serves as co-editor at the American Economic Journal: Applied Economics. Her research lies at the intersection between economic history and labor economics and she has authored several books and scholarly articles on migration trends in the U.S. Dr. Boustan earned her Ph.D. in economics from Harvard University.

Unlike in the United States Courts of Appeals, federal district courts do not have statutes or rules specifically governing the grant or denial of leave to file an *amicus* brief, and thus the court has sole discretion to permit *amicus* briefing. See *U.S. ex rel. Gudur v. Deloitte Consulting LLP*, 512 F. Supp. 2d 920, 927 (S.D. Tex. 2007), *aff'd sub nom. U.S. ex rel. Gudur v. Deloitte & Touche*, 2008 WL 3244000 (5th Cir. 2008). In the absence of controlling authority, district courts often refer to Rule 29 of the Federal Rules of Appellate Procedure for guidance. *Id.* (citing *Waste Mgmt. of Pa. v. City of York*, 162 F.R.D. 34, 36–37 (M.D.Pa. 1995)). Factors a court may weigh when determining whether to allow briefing “include whether the proffered information is ‘timely and useful’ or otherwise necessary to the administration of justice.” *Id.* The relevance of the matters presented in an *amicus* brief to the disposition of the case is “ordinarily the most compelling reason for granting leave to file.” Fed. R. App. P. 29, Advisory Committee Notes, 1998 Amendment.

Drs. Veuger, Watson, Holtz-Eakin, and Boustan submit that their proffered memorandum of law will aid the Court by providing relevant information that will supplement the parties’ briefing and might otherwise escape consideration. The information they provide in the proffered memorandum and technical appendix is highly relevant to the disposition of Plaintiffs’ request for injunctive and other equitable relief, particularly on the jurisdictional question of whether the Plaintiffs have established Article III standing for such relief through their allegations related to the fiscal and economic impact of the Cuban, Haitian, Nicaraguan, and Venezuelan parole

processes on the Plaintiff states. As economic scholars with deep expertise in the areas of fiscal policy and immigration, the *amici* can aid the Court in evaluating these fiscal and other economic impacts. The economic and empirical information and arguments they present in the accompanying memorandum, as well as their documentation of those analyses included in the accompanying technical appendix (attached as Exhibit 2), are highly relevant to the Plaintiffs' claims of irreparable harm and arguments for standing. Among other matters, the proffered memorandum discusses the economic benefits of the parole policy and the lack of support for Plaintiffs' claims that the parole program will lead to increased immigration levels and higher fiscal costs. These claims are central to the Plaintiffs' arguments for jurisdictional Article III standing, and the proffered memorandum will assist the Court in evaluating those arguments. *See Crane v. Johnson*, 783 F.3d 244, 252 (5th Cir. 2015).<sup>1</sup>

For the foregoing reasons, Drs. Veuger, Watson, Holtz-Eakin, and Boustan respectfully request that the Court grant their motion for leave to file the accompanying memorandum of law as *amici curiae*.

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<sup>1</sup> The proposed memorandum also is pertinent to Plaintiffs' claims for injunctive and equitable relief, particularly on their arguments concerning irreparable injury. *See Holland Am. Ins. v. Succession of Roy*, 777 F.2d 992, 997 (5th Cir. 1985).

Dated: August 11, 2023

Respectfully submitted,

**COVINGTON & BURLING LLP**

By: /s/ Brandon R. Gould

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*Certificate of Word Count:*  
This motion contains 944 words, as calculated  
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**CERTIFICATE OF SERVICE**

I certify that a Copy of the foregoing instrument was served via ECF pursuant to the Federal Rules of Civil Procedure on the 11<sup>th</sup> day of August, 2023, upon all counsel of record in this matter.

By: /s/ Brandon R. Gould  
Brandon R. Gould